COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, DECEMBER 22, 2021

SEC-CLERK'S OFFICE

2021 DEC 22 A 10: 14

APPLICATION OF

VIRGINIA ELECTRIC AND POWER COMPANY

CASE NO. PUR-2021-00276

For approval and certification of electric transmission facilities: 500 kV Line #514 Partial Rebuild Project

ORDER FOR NOTICE AND HEARING

On November 18, 2021, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Loudoun County, Virginia. Dominion filed its Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 et seq.

Through its Application, the Company proposes to do the following:

- Rebuild approximately 2.8 miles of the existing overhead 500 kilovolt ("kV") Doubs-Goose Creek Line #514 from existing Structure #514/1854 (which is not being replaced) located two spans outside of the Company's existing Goose Creek Substation to Structure #514/1841 located at the Virginia-Maryland border. Specifically, replace 12 single circuit 500 kV weathering steel lattice towers and 1 single circuit 500 kV galvanized H-frame structure supporting the existing Line #514 with 13 single circuit 500 kV chemically dulled, galvanized steel lattice towers, and the existing 3-phase twin-bundled 2049.5 AAAC conductors with 3-phase triple-bundled 1351.5 ACSR conductors; and
- Perform related work at the Company's existing Goose Creek Switching Station to support the new line rating for rebuilt Line #514 (collectively, "Rebuild Project").

Dominion states that the Rebuild Project will replace aging infrastructure at the end of its service life in accordance with the Company's mandatory electric transmission planning criteria,

¹ Application at 2.

thereby enabling the Company to maintain the overall long-term reliability of its transmission system.²

The Company states that the desired in-service date for the Rebuild Project is

June 1, 2024.³ The Company represents that the estimated conceptual cost of the Rebuild Project
(in 2021 dollars) is approximately \$8.9 million, which includes approximately \$7.3 million for
transmission-related work and approximately \$1.6 million for substation-related work.⁴

As provided by Code § 62.1-44.15:21 D 2, the Commission and the State Water Control Board ("Board") consult on wetland impacts prior to the siting of electric utility facilities that require a certificate of public convenience and necessity. Acting on behalf of the Board, the Department of Environmental Quality ("DEQ") must prepare a Wetland Impacts Consultation on this Application, as required by the Code and Sections 2 and 3 of the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Consultation on Wetland Impacts.⁵ The Staff of the Commission ("Staff") has requested the Office of Wetlands & Stream Protection at the DEQ to provide a Wetland Impacts Consultation for the Rebuild Project.⁶

² Id. at 2-3.

³ Id. at 3. Dominion requests that the Commission enter a final order by September 30, 2022. Id. The Company states that, should the Commission issue a final order by September 30, 2022, the Company estimates that construction should begin by October 1, 2023, and be completed by June 1, 2024. Id. at 3-4.

⁴ Id. at 4.

⁵ In re Receiving comments on a draft memorandum of agreement between the State Water Control Board and the State Corporation Commission, Case No. PUE-2003-00114, 2003 S.C.C. Ann. Rept. 474, Order Distributing Memorandum of Agreement (July 30, 2003).

⁶ Letter from C. Austin Skeens, Esquire, State Corporation Commission, dated November 22, 2021, to David L. Davis, Department of Environmental Quality, filed in Case No. PUR-2021-00276.

As provided by Code §§ 10.1-1186.2:1 B and 56-46.1 A, the Commission and the DEQ coordinate reviews of the environmental impact of electric generating plants and associated facilities. Pursuant to the Code and consistent with the Department of Environmental Quality - State Corporation Commission Memorandum of Agreement Regarding Coordination of Reviews of the Environmental Impacts of Proposed Electric Generating Plants and Associated Facilities (August 2002),⁷ the Commission receives and considers reports on the proposed facilities from state environmental agencies. Staff has requested the DEQ to coordinate an environmental review of this Application by the appropriate agencies and to provide a report on the review.⁸

NOW THE COMMISSION, upon consideration of the Application and applicable statutes, finds that: this matter should be docketed; Dominion should give notice of its Application to interested persons and the public; public hearings should be scheduled for the purpose of receiving testimony and evidence on the Application as well as public witness testimony; interested persons should have an opportunity to file comments on the Application or participate as a respondent in this proceeding; and Staff should be directed to investigate the Application and file testimony and exhibits containing its findings and recommendations thereon. Finally, we find that this matter should be assigned to a Hearing Examiner to conduct all further proceedings in this matter on behalf of the Commission.

⁷ In re Receiving comments on a draft memorandum of agreement between the Department of Environmental Quality and the State Corporation Commission, Case No. PUE-2002-00315, 2002 S.C.C. Ann. Rept. 559, Order Distributing Memorandum of Agreement (Aug. 14, 2002).

⁸ Letter from C. Austin Skeens, Esquire, State Corporation Commission, dated November 22, 2021, to Bettina Rayfield, Department of Environmental Quality, filed in Case No. PUR-2021-00276.

The Commission further takes judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. The Commission has taken certain actions, and may take additional actions going forward, that could impact the procedures in this proceeding. Consistent with these actions, in regard to the terms of the procedural framework established below, the Commission will, among other things, direct the electronic filing of testimony and pleadings, unless they contain confidential information, and require electronic service on parties to this proceeding.

Accordingly, IT IS ORDERED THAT:

- (1) This matter is docketed and assigned Case No. PUR-2021-00276.
- (2) All pleadings in this matter shall be submitted electronically to the extent authorized by Rule 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or

⁹ See, e.g., Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic Service of Commission Orders, Case No. CLK-2020-00004, 2020 S.C.C. Ann. Rept. 76, Order Concerning Electronic Service of Commission Orders (Mar. 19, 2020), extended by 2020 S.C.C. Ann. Rept. 77, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); Commonwealth of Virginia, ex rel., State Corporation Commission, Ex Parte: Revised Operating Procedures During COVID-19 Emergency, Case No. CLK-2020-00005, 2020 S.C.C. Ann. Rept. 77, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (Mar. 19, 2020) ("Revised Operating Procedures Order"), extended by 2020 S.C.C. Ann. Rept. 78, Order Regarding the State Corporation Commission's Revised Operating Procedures During COVID-19 Emergency (May 11, 2020); Commonwealth of Virginia, ex rel. State Corporation Commission, Ex Parte: Electronic service among parties during COVID-19 emergency, Case No. CLK-2020-00007, 2020 S.C.C. Ann. Rept. 79, Order Requiring Electronic Service (Apr. 1, 2020).

¹⁰ 5 VAC 5-20-10 et seq.

submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.¹¹

- (3) Pursuant to 5 VAC 5-20-140, *Filing and service*, of the Rules of Practice, the Commission directs that service on parties and the Staff in this matter shall be accomplished by electronic means. Concerning Confidential or Extraordinarily Sensitive Information, parties and the Staff are instructed to work together to agree upon the manner in which documents containing such information shall be served upon one another, to the extent practicable, in an electronically protected manner, even if such information is unable to be filed in the Office of the Clerk, so that no party or the Staff is impeded from preparing its case.
- (4) As provided by § 12.1-31 of the Code and 5 VAC 5-20-120, *Procedure before hearing examiners*, of the Rules of Practice, a Hearing Examiner is appointed to conduct all further proceedings in this matter on behalf of the Commission and to file a final report.
- (5) The Commission hereby schedules a telephonic hearing for the receipt of testimony from public witnesses on the Application, as follows:
 - (a) A hearing for the receipt of testimony from public witnesses on the Application shall be convened telephonically at 10 a.m. on May 10, 2022, with no witness present in the Commission's courtroom.¹²
 - (b) To promote fairness for all public witnesses, each witness will be allotted five minutes to provide testimony.
 - (c) On or before May 6, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at

¹¹ As noted in the Revised Operating Procedures Order, submissions to the Commission's Clerk's Office via U.S. mail or commercial mail equivalents may be subject to delayed processing due to the COVID-19 public health issues.

¹² The Commission will convene counsel of record in this proceeding to attend the public witness hearing virtually.

- scc.virginia.gov/pages/Webcasting; (ii) by completing and emailing the PDF version of this form to SCCInfo@scc.virginia.gov; or (iii) by calling (804) 371-9141.
- (d) Beginning at 10 a.m. on May 10, 2022, the Commission will telephone sequentially each person who has signed up to testify as provided above. This hearing will not be convened, and the parties will be notified of such, if no person signs up to testify as a public witness.
- (e) This public witness hearing will be webcast at scc.virginia.gov/pages/Webcasting.
- (6) A hearing on the Application shall be convened at 10 a.m. on May 11, 2022, either in the Commission's second floor courtroom located in the Tyler Building, 1300 East Main Street, Richmond, Virginia 23219, or by electronic means, to receive testimony and evidence offered by the Company, respondents, and the Staff on the Application. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.
- (7) An electronic copy of the Company's Application may be obtained by submitting a written request to counsel for the Company, Vishwa B. Link, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or vlink@mcguirewoods.com. Interested persons also may download unofficial copies from the Commission's website: scc.virginia.gov/pages/Case-Information.
- (8) On or before January 21, 2022, the Company shall cause to be sent by first class mail a copy of the notice and sketch map prescribed in Ordering Paragraph (9) to all owners of property within the route of the Rebuild Project, as of the date of this Order and as indicated on the map or sketch of the route filed with the Commission, which requirement shall be satisfied by mailing to such persons at such addresses as are indicated in the land books maintained by the commissioner of revenue, director of finance, treasurer, or other officer of the county or municipality designated as provided by Code § 58.1-3100 et seq.

(9) On or before January 21, 2022, the Company shall cause the following notice and the sketch map of the proposed route, as shown on page 155 of the Appendix to the Application, to be published as display advertising (not classified) on one occasion in newspapers of general circulation in Loudoun County:

NOTICE TO THE PUBLIC OF AN APPLICATION BY VIRGINIA ELECTRIC AND POWER COMPANY FOR APPROVAL AND CERTIFICATION OF ELECTRIC TRANSMISSION FACILITIES:

500 KV LINE #514 PARTIAL REBUILD PROJECT CASE NO. PUR-2021-00276

On November 18, 2021, Virginia Electric and Power Company ("Dominion" or "Company") filed with the State Corporation Commission ("Commission") an application ("Application") for approval and certification of electric transmission facilities in Loudoun County, Virginia. Dominion filed its Application pursuant to § 56-46.1 of the Code of Virginia ("Code") and the Utility Facilities Act, Code § 56-265.1 et seq.

Through its Application, the Company proposes to do the following:

- Rebuild approximately 2.8 miles of the existing overhead 500 kilovolt ("kV") Doubs-Goose Creek Line #514 from existing Structure #514/1854 (which is not being replaced) located two spans outside of the Company's existing Goose Creek Substation to Structure #514/1841 located at the Virginia-Maryland border. Specifically, replace 12 single circuit 500 kV weathering steel lattice towers and 1 single circuit 500 kV galvanized H-frame structure supporting the existing Line #514 with 13 single circuit 500 kV chemically dulled, galvanized steel lattice towers, and the existing 3-phase twin-bundled 2049.5 AAAC conductors with 3-phase triple-bundled 1351.5 ACSR conductors; and
- Perform related work at the Company's existing Goose Creek Switching Station to support the new line rating for rebuilt Line #514 (collectively, "Rebuild Project").

Dominion states that the Rebuild Project will replace aging infrastructure at the end of its service life in accordance with the Company's mandatory electric transmission planning criteria,

thereby enabling the Company to maintain the overall long-term reliability of its transmission system.

The Company states that the desired in-service date for the Rebuild Project is June 1, 2024. The Company represents that the estimated conceptual cost of the Rebuild Project (in 2021 dollars) is approximately \$8.9 million, which includes approximately \$7.3 million for transmission related work and approximately \$1.6 million for substation-related work.

Description of the Route

The proposed route of the 500 kV Line #514 Rebuild Project is located within an existing approximately 2.8-mile right-of-way currently occupied at various portions of the route by two overhead 230 kV transmission lines, and one existing 500 kV overhead transmission line. The existing transmission line right-of-way for the proposed route of the Rebuild Project, which is 250 feet wide, originates at existing Structure #514/1854 (which is not being replaced) located two spans outside of the Company's Goose Creek Substation in Loudoun County, Virginia, on the south side of East Market Street, and continues approximately 2.8 miles in a northern direction along the existing right-of-way, concluding at Structure #514/1841, located at the Virginia-Maryland border in Loudoun County, Virginia, on the northeast side of Edwards Ferry Road NE.

For the proposed Rebuild Project, 12 single circuit 500 kV weathering steel lattice towers and 1 single circuit 500 kV galvanized H-frame structure supporting the existing Line #514 are proposed to be replaced with 13 single circuit 500 kV chemically dulled, galvanized steel lattice towers. The minimum proposed structure height is approximately 114 feet, the maximum proposed structure height is approximately 154 feet, and the average proposed structure height is approximately 135 feet, based on preliminary conceptual design, excluding foundation reveal and subject to change based on final engineering design.

All distances, heights, and directions are approximate. A sketch map of the proposal accompanies this notice. A more detailed map may be viewed on the Commission's website: scc.virginia.gov/pages/Transmission-Line-Projects. A more complete description of the Rebuild Project also may be found in the Company's Application.

The Commission may consider a route not significantly different from the route described in this notice without additional notice to the public.

The Commission has taken judicial notice of the ongoing public health issues related to the spread of the coronavirus, or COVID-19. In accordance therewith, all pleadings, briefs, or other documents required to be served in this matter shall be submitted electronically to the extent authorized by 5 VAC 5-20-150, *Copies and format*, of the Commission's Rules of Practice and Procedure ("Rules of Practice"). Confidential and Extraordinarily Sensitive Information shall not be submitted electronically and should comply with 5 VAC 5-20-170, *Confidential information*, of the Rules of Practice. Any person seeking to hand deliver and physically file or submit any pleading or other document shall contact the Clerk's Office Document Control Center at (804) 371-9838 to arrange the delivery.

Pursuant to 5 VAC 5-20-140, Filing and service, of the Rules of Practice, the Commission has directed that service on parties and the Commission's Staff in this matter shall be accomplished by electronic means. Please refer to the Commission's Order for Notice and Hearing or subsequent Hearing Examiner's Ruling for further instructions concerning Confidential or Extraordinarily Sensitive Information.

The Commission entered an Order for Notice and Hearing in this proceeding that, among other things, scheduled public hearings on Dominion's Application. On May 10, 2022, at 10 a.m., the Commission will hold a telephonic hearing, with no witness present in the Commission's courtroom, for the purpose of receiving the testimony of public witnesses. On or before May 6, 2022, any person desiring to offer testimony as a public witness shall provide to the Commission (a) your name, and (b) the telephone number that you wish the Commission to call during the hearing to receive your testimony. This information may be provided to the Commission in three ways: (i) by filling out a form on the Commission's website at scc.virginia.gov/pages/Webcasting;

(ii) by completing and emailing the PDF version of this form to <u>SCCInfo@scc.virginia.gov</u>; or (iii) by calling (804) 371-9141. This public witness hearing will be webcast at <u>scc.virginia.gov/pages/Webcasting</u>.

On May 11, 2022, at 10 a.m., either in the Commission's second floor courtroom located in the Tyler Building, 1300 East

Main Street, Richmond, Virginia 23219, or by electronic means, the Commission will convene a hearing to receive testimony and evidence related to the Application from the Company, any respondents, and the Commission's Staff. Further details on this hearing will be provided by subsequent Commission Order or Hearing Examiner's Ruling.

Electronic copies of the Application and other supporting materials may be inspected at: www.dominionenergy.com/line514. An electronic copy of the Company's Application also may be obtained by submitting a written request to counsel for the Company, Vishwa B. Link, Esquire, McGuireWoods LLP, Gateway Plaza, 800 East Canal Street, Richmond, Virginia 23219, or vlink@mcguirewoods.com.

On or before March 4, 2022, any person or entity wishing to participate as a respondent in this proceeding may do so by filing a notice of participation with the Clerk of the Commission at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, Participation as a respondent, of the Rules of Practice, any notice of participation shall set forth: (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, Counsel, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00276. For additional information about participation as a respondent, any person or entity should obtain a copy of the Commission's Order for Notice and Hearing.

On or before May 4, 2022, any interested person may submit comments on the Application by following the instructions found on the Commission's website: scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments with the Clerk of the Commission at the address listed above. All such comments shall refer to Case No. PUR-2021-00276.

Any documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified by the Commission's Order for Notice and Hearing, all filings shall comply fully with the requirements of 5 VAC 5-20-150, Copies and format, of the Rules of Practice.

The Company's Application, the Commission's Rules of Practice, the Commission's Order for Notice and Hearing, and other documents filed in the case may be viewed at: scc.virginia.gov/pages/Case-Information.

VIRGINIA ELECTRIC AND POWER COMPANY

- (10) On or before January 21, 2022, the Company shall serve a copy of this Order for Notice and Hearing on the following local officials, to the extent the position exists, in each county, city, and town through which the Rebuild Project is proposed to be built: the chairman of the board of supervisors of each county; the mayor or manager (or equivalent official) of every city and town; and the county, city, or town attorney. Service shall be made electronically where possible; if electronic service is not possible, service shall be made by either personal delivery or first class mail to the customary place of business or residence of the person served.
- (11) On or before February 18, 2022, the Company shall file proof of the notice and service required by Ordering Paragraphs (9) and (10) above, including the name, title, address, and electronic mail address (if applicable) of each official served, with the Clerk of the Commission at scc.virginia.gov/clk/efiling/.
- (12) On or before February 18, 2022, the Company shall file with the Clerk of the Commission a certificate of the mailing of notice to owners of property prescribed by Ordering Paragraph (8). The certificate shall not include the names and addresses of the owners of property served, but the Company shall maintain a record of such information.

- (13) On or before May 4, 2022, any interested person may submit comments on the Application by following the instructions found on the Commission's website:

 scc.virginia.gov/casecomments/Submit-Public-Comments. Those unable, as a practical matter, to submit comments electronically may file such comments by U.S. mail to the Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218-2118. All comments shall refer to Case No. PUR-2021-00276.
- respondent in this proceeding may do so by filing a notice of participation at scc.virginia.gov/clk/efiling. Those unable, as a practical matter, to file a notice of participation electronically may file such notice by U.S. mail to the Clerk of the Commission at the address listed above. Such notice of participation shall include the email addresses of such parties or their counsel, if available. The respondent simultaneously shall serve a copy of the notice of participation on counsel to the Company. Pursuant to 5 VAC 5-20-80 B, *Participation as a respondent*, of the Commission's Rules of Practice, any notice of participation shall set forth:

 (i) a precise statement of the interest of the respondent; (ii) a statement of the specific action sought to the extent then known; and (iii) the factual and legal basis for the action. Any organization, corporation, or government body participating as a respondent must be represented by counsel as required by 5 VAC 5-20-30, *Counsel*, of the Rules of Practice. All filings shall refer to Case No. PUR-2021-00276.
- (15) Within three (3) business days of receipt of a notice of participation as a respondent, the Company shall serve upon the respondent a copy of the Application and supporting materials, unless these materials already have been provided to the respondent.

- (16) On or before March 25, 2022, each respondent may file with the Clerk of the Commission, at scc.virginia.gov/clk/efiling, any testimony and exhibits by which the respondent expects to establish its case. Any respondent unable, as a practical matter, to file testimony and exhibits electronically may file such by U.S. mail to the Clerk of the Commission at the address listed above. Each witness's testimony shall include a summary not to exceed one page. All testimony and exhibits shall be served on the Staff, the Company, and all other respondents simultaneous with its filing. In all filings, respondents shall comply with the Rules of Practice, as modified herein, including, but not limited to: 5 VAC 5-20-140, *Filing and service*, and 5 VAC 5-20-240, *Prepared testimony and exhibits*. All filings shall refer to Case No. PUR-2021-00276.
- (17) The Staff shall investigate the Application. On or before April 15, 2022, the Staff shall file with the Clerk of the Commission its testimony and exhibits, and each Staff witness's testimony shall include a summary not to exceed one page. The Staff shall serve a copy thereof on counsel to the Company and all respondents.
- (18) On or before April 29, 2022, Dominion shall file with the Clerk of the Commission any rebuttal testimony and exhibits that it expects to offer, and each rebuttal witness's testimony shall include a summary not to exceed one page. The Company shall serve a copy of its rebuttal testimony and exhibits on the Staff and all respondents.
- (19) All documents filed in paper form with the Office of the Clerk of the Commission in this docket may use both sides of the paper. In all other respects, except as modified herein, all filings shall comply fully with the requirements of 5 VAC 5-20-150, *Copies and format*, of the Rules of Practice.

(20) The Commission's Rule of Practice 5 VAC 5-20-260, *Interrogatories to parties or requests for production of documents and things*, shall be modified for this proceeding as follows: responses and objections to written interrogatories and requests for production of documents shall be served within seven (7) calendar days after receipt of the same. In addition to the service requirements of 5 VAC 5-20-260 of the Rules of Practice, on the day that copies are filed with the Clerk of the Commission, a copy of the interrogatory or request for production shall be served electronically on the party to whom the interrogatory or request for production is directed or the assigned Staff attorney, if the interrogatory or request for production is directed to the Staff. Except as modified herein, discovery shall be in accordance with Part IV of the Commission's Rules of Practice, 5 VAC 5-20-240 *et seq.*

(21) This matter is continued.

A COPY hereof shall be sent electronically by the Clerk of the Commission to all persons on the official Service List in this matter. The Service List is available from the Clerk of the Commission.

¹³ The assigned Staff attorney is identified on the Commission's website, <u>scc.virginia.gov/pages/Case-Information</u>, by clicking "Docket Search," then clicking "Search by Case Information," and entering the case number, PUR-2021-00276, in the appropriate box.